

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

A.E.S.E., a minor child, and EUSEBIO DANIEL SABILLON PAZ, her father,

Plaintiffs,

No. 2:21-cv-00569-SMV-GBW

v.

THE UNITED STATES OF AMERICA and MANAGEMENT & TRAINING CORPORATION,

Defendants.

**SECOND STIPULATED MOTION TO HOLD ACTION
IN ABEYANCE FOR THIRTY (30) DAYS**

Plaintiffs and Defendant United States of America, along with Defendant Management & Training Corporation, constituting all parties appearing in this action, through undersigned counsel of record hereby jointly move the Court for a second Order holding this action in abeyance for a period of thirty (30) days from November 9, 2021. In support of this motion, the parties state the following:

1. Plaintiff A.E.S.E., a minor, along with Plaintiff Eusebio Daniel Sabillon Paz, her father, brought this action pursuant to the Federal Tort Claims Act (“FTCA”) against Defendant United States of America, alleging that both suffered harm and injuries as a result of, among other things, being separated from her father at the United States border and alleged abuses that followed. (Doc. 1.) Plaintiff Paz also alleges tort claims against Defendant Management & Training Corporation. *Id.*

2. Defendant Management & Training Corporation filed their Answer to Plaintiffs’ Complaint on August 6, 2021. (Doc. 6.)

3. On September 15, 2021, the Court issued its Order Staying Case (Doc. 16)

ordering a stay of this matter until November 9, 2021, to allow the parties to pursue settlement opportunities in accordance with the parties' Stipulated Motion to Hold Action in Abeyance for Sixty (60) Days. Doc. 11.

4. Over the past 60 days, the United States and the group of counsel coordinating negotiations on behalf of plaintiffs and claimants ("Coordinating Counsel") have continued to work diligently in an effort to resolve the many district court cases and administrative tort claims that have been filed by claimants across the country, arising from family separations at the U.S./Mexico border that occurred during the prior administration. An agreement has not been reached. However, a further abeyance will allow the parties to continue focusing their efforts on attempting to resolve these matters. Accordingly, the parties jointly request that this action, including all proceedings and case deadlines, be held in abeyance for an additional 30 days. If the parties determine within the next 30 days that they are unable to reach an agreement, the parties will stipulate at that point to lift the stay.

5. The parties now respectfully move the Court for an Order holding this action, including all proceedings and case deadlines, in abeyance for an additional thirty (30) days, or until **December 9, 2021** to allow the parties to continue their work. A proposed Order is submitted herewith.

6. Counsel for all parties have conferred regarding this request and agreed to jointly move the Court to hold this action in abeyance for the time specified above.

Respectfully submitted this 5th day of November, 2021.

FRED J. FEDERICI
Acting United States Attorney

/s/ Kimberly Bell 11/5/21
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